

**REMARKS****Claim Rejection****35 USC § 103**

All of the claims were rejected as being unpatentable over Nantz in view of Burr. In the Office Action, the Examiner states that Nantz discloses a vehicle remote control device that has a capability of triggering a signal that activates an alarm on a nearby motor vehicle, but that Nantz fails to disclose a second trigger on the same device that transmits a location to a recipient.

The Examiner appears to take the position that "as technology advances, modern vehicles are optionally equipped with more and more equipment for providing additional features" and thus it is obvious to add a second trigger to a car alarm remote control unit.

However, even if technology advances and modern vehicles are optionally equipped with more and more equipment for providing additional features, absent some teaching, suggestion, or motivation to provide the specific claimed feature, such advancement is not a sufficient basis for a rejection under 35 USC § 103. If the advancement of technology could serve as a basis for a rejection under 35 USC § 103, then there would likely be no more patents ever issued.

Indeed, Applicant respectfully points out that many of the features of modern automobiles have been patented and that consideration of the advancement of technology did not prevent these patents from issuing. A search of the Patent Office's database of issued patents shows that there have been 5,889 issued patents with the word "automobile" in the title since 1976. It is doubtful that many of these patents are for radically new types of automobiles. Thus, it appears likely that many of these patents are for new features of automobiles.

The Examiner cites Burr to make up for the deficiencies of Nantz to either anticipate or make obvious the present invention. However, Burr does not even address the use of a second trigger in a remote control unit, such as the claimed GPS device. Rather, Burr merely discloses the use of GPS in a car. Burr's GPS appears to be in the sense and control unit 20 (col. 3, paragraph 20) and the sense and control unit is clearly attached to the steering column as shown in Figure 1. Thus, Burr's GPS is in the car and not in the car alarm's remote control unit, as is the claimed invention.

Combining a reference that teaches a device having a single trigger (such as the remote control unit of Nantz) with a reference that teaches the use of GPS within a car (such as in the steering column mounted control unit of Burr) in no way makes it obvious to incorporate GPS into a remote control unit and then add a second trigger that transmits a location to a recipient at a distant location.

Moreover, nothing in the cited prior art either anticipates or makes obvious a GPS device that has two triggers. Neither Nantz nor Burr either disclose or make obvious a car alarm remote control unit having "a first trigger that activate an alarm on a nearby motor vehicle; and a second trigger that transmits the location to a recipient at a distant location." as recited in independent claim 26.

In view of the foregoing, it is respectfully submitted that all of the pending claims of the subject patent application are in a condition for immediate allowance. Reconsideration and an early allowance are therefore respectfully requested.

Respectfully submitted,  
Rutan & Tucker, LLP

Dated: March 4, 2004

By: \_\_\_\_\_

Robert D. Fish  
Reg. No. 33,880

Attorneys for Applicant(s)  
Post Office Box 1950  
Costa Mesa, CA 92628-1950  
Tel: (714) 641-5100  
Fax: (714) 546-9035  
Customer No. 34284